IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6406 OF 2006

Sarjirao Dadu Jadhav & ors ..Petitioners

V/s.

Mukinda Laxman Jadhav & ors ..Respondents

Mr.S.R.Page for the petitioners
Mr.R.V.Bansode for the respondent Nos.1 to 14

CORAM : S.C.DHARMADHIKARI, J.

DATE : 15TH JUNE, 2007

P.C.

1. This petition under Article 227 of the Constitution of India challenges an order passed by the Additional District Judge, Satara in Civil Miscellaneous Appeal No.113 of 2006.

2. By the order under challenge delivered on 14th August, 2006 the Court below has granted an application preferred by the respondents/original appellants for temporary injunction and directed the present petitioners to maintain status-quo regarding possession of the appellants before the

Court below in the suit property.

3. The Court below has satisfied itself that the respondents before me have made out a prima facie case. That balance of convenience lies in their favour and they will suffer irrepairable harm if temporary injunction is not granted. More so, when the trial Court finds that the respondents were in possession of the suit property. In this view of the matter there is no reason to interfere with the tentative and prima facie findings which are based upon the material produced before the Court below. Petition is summarily dismissed.

4. The trial Court to endeavour and decide Regular Civil Suit No.25 of 2006 as expeditiously as possible and within a period of one year from the date of receipt of a copy of the order passed by this Court.

(S.C.DHARMADHIKARI, J.)